

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO HEALTH; ESTABLISHING CERTAIN DEPARTMENT OF HEALTH
DUTIES PERTAINING TO PERSONS LIVING WITH THE HUMAN
IMMUNODEFICIENCY VIRUS AND ACQUIRED IMMUNE DEFICIENCY
SYNDROME; CREATING A MEDICAL ADVISORY COMMITTEE; CREATING AN
INDEPENDENT CONSTITUENT SERVICES PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the
"Billy Griego HIV and AIDS Act".

Section 2. PURPOSE.--The purpose of the Billy Griego
HIV and AIDS Act is to ensure that consumers are the focus of
the funding and services provided and their consideration is
to be the determining factor in all the state's human
immunodeficiency virus and acquired immune deficiency
syndrome programs.

Section 3. DEPARTMENT OF HEALTH--DUTIES.--The
department of health shall serve as the state's human
immunodeficiency virus and acquired immune deficiency
syndrome service coordinator among all state agencies,
providing direct and contract education and prevention and
treatment services for eligible persons, subject to the
availability of funds. The department shall serve as the
state contract administrator for federal Ryan White services
funding as well as for all federal centers for disease

1 control and prevention human immunodeficiency virus and
2 acquired immune deficiency syndrome programs. Services shall
3 include prevention, clinical services, a drug assistance and
4 insurance assistance program to eligible individuals and
5 programs appropriate for Native Americans, including
6 traditional medicine services. Services shall be delivered
7 in a consumer-oriented model. The department of health shall
8 include a quality assurance component in all services and
9 shall ensure that all clients are educated about their rights
10 and responsibilities and the department's grievance
11 procedures.

12 Section 4. MEDICAL ADVISORY COMMITTEE CREATED--
13 MEMBERSHIP--DUTIES.--

14 A. There is created at the department of health a
15 "medical advisory committee" to consist of seven members,
16 chaired by the department's chief medical officer or the
17 officer's designee. Committee membership shall consist of
18 four physicians and two consumers with current experience in
19 the treatment of human immunodeficiency virus and acquired
20 immune deficiency syndrome.

21 B. The committee shall review the department of
22 health's human immunodeficiency virus and acquired immune
23 deficiency syndrome drug formulary and policies regarding
24 selection, utilization and provision of those drugs and
25 recommend changes as appropriate to the department of health

1 and report its recommendations to the governor's HIV and AIDS
2 policy commission.

3 Section 5. INDEPENDENT CONSTITUENT SERVICE PROGRAM--
4 DUTIES.--An independent "constituent services program" is
5 created. The program shall review all fiscal matters and
6 record and review all complaints and requests for services
7 that come to its attention about public programs and services
8 for persons living with the human immunodeficiency virus and
9 acquired immune deficiency syndrome statewide. The program
10 shall make an annual report to the department of health by
11 November 1 of each year on its activities and
12 recommendations.

13 Section 6. ANNUAL REPORT--POLICIES AND PROCEDURES.--

14 A. The department of health shall provide an
15 annual report on activities and expenditures conducted
16 pursuant to the Billy Griego HIV and AIDS Act. The report
17 shall be submitted no later than December 15 to the
18 legislature and the governor.

19 B. The department of health shall develop and
20 annually review policies and procedures pertaining to the
21 Billy Griego HIV and AIDS Act. _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25